

REMARKS

An After Final Amendment was filed in this case on September 12, 2005 in which claims 1, 2, 3, 5, 7 and 11 were amended. The Examiner responded with an Advisory Action mailed September 30, 2005 in which the amendments were not entered because they raise new issues that would require further consideration and/or search. On October 13, 2005 a Request for Continued Examination (RCE) was filed in which entry of the After Final Amendment filed September 12, 2005 was requested. The Examiner responded to the filing of this RCE with the Office Action mailed December 30, 2005 which was made final. A Petition to Withdraw Finality of Office Action was filed on January 27, 2006, and the Examiner responded with a Restart for the First Office Action, mailed on February 8, 2006.

Claims 1, 2, 3, 5, 7 and 11 have been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention. No new matter has been added.

Claim Rejections under 35 USC §103

Claims 1, 3, 4-6, 9/5, 10/5, 11-15, 16/5, 17/5 and 18-20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Maes et al. US Patent 6,016,476, in view of Krlarsky, US Publication No. 20010037308.

The present invention as described in the first embodiment shown in Figure 4 is a method of settling a transaction which begins in step 1 by connecting the user terminal (10) and the authorization server (22) of the service center (20). In step 2, the authorization center (22) authenticates the IC card (4). In step 3, the identity of the user is verified by the authorization center (22) through the entry of a personal identification number (PIN). In step 4, the user enters the PIN. In step 5, IC credit card or IC debit card information is transmitted to the settlement server (41) of the card company/bank (40). In step 6, the settlement server generates a one-time password usable for only one transaction and useable for a limited period of time. In step 7, the user then inputs the one-time password as displayed on the mobile telephone (1) into the cat terminal of debit terminal (30) of the business establishment. In step 8, the cat terminal or debit terminal (30) transmits the one-time password to the settlement server (41). Finally, in step 9, the settlement server (41) transfer a transaction satisfying the settlement of the transaction.

Maes et al. describes a portable client PDA having I/O capability to read a smart card. The PDA also has a radio frequency modem for communications. The PDA can operate in a client/server mode in which a temporary digital certificate is periodically downloaded to the PDA. This temporary digital certificate is used to access information stored in PDA and to write such

information to the Universal smart card. Once the information is written to the smart card a transaction may take place.

Krlarksy describes a secure identification system in which single use certificate to eliminate the possibility of electronic theft.

This rejection is similar to that supplied in the Office Action mailed June 14, 2005 with the exception that newly added feature of a contact type IC card being built into the mobile telephone is addressed by the Examiner.

Column 5, lines 25-27 of Maes et al. states:

“The PDA device 10 includes a smartcard reader/writer 26 (as is known in the art) for reading and writing information to and from various cards, e.g., magnetic cards, IC cards...”

Column 14, lines 12-13 of Maes et al. states:

“Moreover, the functions and components of the PDA device 10 may be built into a cellular phone...”

Therefore, it may be argued that Maes et al. describes a contact type IC card being built into the mobile telephone. However, as shown in Figure 3B of the present application both a contact type IC card and a noncontact type IC card are built into the mobile telephone. Maes et al. is silent regarding having both types of IC cards being built into the mobile telephone. Thus, claims 1, 2, 3, 5, 7 and 11 have been amended to include both of these types of IC cards. Therefore, independent claims 1, 2, 3, 5, 7 and 11 patentably distinguish over the prior art by reciting, as exemplified by

claim 1,

“A card settlement method using a mobile information terminal provided with an IC card read/write function and a wireless communication function for the settlement of a transaction in a business establishment, comprising: a step of having a customer using a business establishment wirelessly connect to an authorization server through a network by the mobile information terminal, a step of having the customer load his or her IC card in the mobile information terminal, read the information stored in this IC card, and send it to the authorization server, a step of having the authorization server decide on the authorization of the current transaction from authentication information stored in the IC card and proving the legitimacy of the card, settlement information containing at least a card number, and personal identification information input from the customer and proving the legitimacy of the customer, a step of sending a temporary password issued from a settlement server to the mobile information terminal for display after the authorization of the current transaction, a step of inputting the temporary password and the current transaction information from a business establishment side settlement terminal and sending it to the settlement server, and a step of having the settlement server settle the transaction with the password and the transaction information satisfying the settlement conditions, wherein the temporary password is valid for only one transaction and valid for only a limited period of time, wherein the mobile information terminal is a mobile phone having both a contact type IC card and a noncontact type IC card built into the mobile telephone.” (Emphasis Added)

Therefore, withdrawal of the rejection of claims 1, 3, 4-6, 9/5, 10/5, 11-15, 16/5, 17/5 and 18-20 under 35 U.S.C. 103(a) as being unpatentable over Maes et al. US Patent 6,016,476, in view of Krlarsky, US Publication No. 20010037308 is respectfully requested.

Claims 2, 7-8, 9/7, 10/7, 16/8, 12, 17/8 16/(8,12), and 17/(8,12) stand rejected under 35 U.S.C. 103(a) as being unpatentable over Maes et al. U.S. Patent 6,016,476 in view of Shkedy, U.S. Patent 6,260,024.

Shkedy describes a buyer-driven purchase order system in which both the buyer and the seller are authenticated.

Claims 2, 7-8, 9/7, 10/7, 16/8, 12, 17/8 16/(8,12), and 17/(8,12) are allowable by virtue of their dependence upon allowable independent claims. Therefore, withdrawal of the rejection of claims 2, 7-8, 9/7, 10/7, 16/8, 12, 17/8 16/(8,12), and 17/(8,12) under 35 U.S.C. 103(a) as being unpatentable over Maes et al. U.S. Patent 6,016,476 in view of Shkedy, U.S. Patent 6,260,024 is respectfully requested.

Conclusion

In view of the aforementioned amendments and accompanying remarks, claims 1, 2, 3, 5, 7 and 11, as amended, are believed to be in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

U.S. Patent Application Serial No. 09/810,437
Amendment filed March 24, 2006
Reply to OA dated February 8, 2006

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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